

The motion prevailed by the following vote:

Yeas—14

Brownlee	Metcalf
Graves	Moffett
Hardin	Nelson
Hill	Pace
Isbell	Redditt
Kelley	Weinert
Martin	Winfield

Nays—13

Aikin	Moore
Beck	Roberts
Burns	Small
Collie	Spears
Head	Stone
Lanning	of Galveston
Lemens	Sulak

Absent

Cotten	Stone
Shivers	of Washington
	Van Zandt

The Senate, accordingly, at 5:50 o'clock p. m., adjourned until 10:00 o'clock a. m., Monday, April 24, 1939.

APPENDIX

Reports of Committees on Enrolled and Engrossed Bills

Austin, Texas,
April 20, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 102 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 20, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 34 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 20, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 281 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 19, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 440 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

FIFTY-SIXTH DAY

(Monday, April 24, 1939)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Lanning	of Washington
Lemens	Sulak
Metcalf	Van Zandt
Moffett	Winfield

Absent—Excused

Kelley	Weinert
Martin	

A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, April 20, 1939, was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senators Kelley and Martin were granted leave of absence for today

on account of important business, on motion of Senator Small.

Senator Weinert was granted leave of absence for today on account of important business, on motion of Senator Pace.

Senate Bill 443 on First Reading

Senator Hill moved that the legislative rule relative to the introduction of bills after the first 60 days of the Regular Session of the Legislature be suspended to permit his introducing a bill at this time.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Head	of Galveston
Hill	Stone
Isbell	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Winfield
Moffett	

Absent

Spears Weinert

Absent—Excused

Kelley Martin

The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Hill:

S. B. No. 443, A bill to be entitled "An Act creating county-wide equalization school districts in all counties containing a population of not less than Thirty-five Thousand (35,000) nor more than Sixty-seven Thousand Five Hundred (67,500) according to the last preceding Federal Census, and containing a valuation of Seventy-five Million Dollars (\$75,000,000), or more, according to the last approved tax rolls for state and county purposes; providing for the vesting of the general management, supervision, and control of the public

schools and educational interests of such counties in the County Board of School Trustees and constituting such trustees as the Board of Trustees for such county-wide equalization districts; making provision for the levying of an equalization tax of not to exceed Twenty-five (25) Cents on One Hundred Dollars (\$100.00) valuation of property situated within the county; providing for the holding of an election in each county on the question of levying such equalization tax and providing for the assessment and collection of such taxes by the County Tax Collector, prescribing his duties and compensation; making provision to constitute the County Superintendent as Treasurer of the county-wide equalization district and prescribing his duties, designating the county depository as the depository for such district; prescribing the duties of the County Board of Trustees with respect to such tax and funds derived therefrom; providing that the Act shall not have the effect of changing any duties or powers imposed upon the Trustees of any common or independent school districts except as expressly provided in the Act; providing a saving clause; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

Senate Bill 167 on Passage to Engrossment

(Postponed Business)

The President laid before the Senate, as postponed business, on its passage to engrossment (the bill having been read second time on Tuesday, April 4, 1939, and its further consideration having been postponed on April 11, 1939, until 10:30 o'clock a. m., April 14, 1939):

S. B. No. 167, A bill to be entitled "An Act creating a School Land Board; defining its powers and prescribing its duties; providing regulations for the sale and lease of all lands set apart for the Permanent Free School Fund and several asylum funds, the mineral estate in river beds and channels, and the mineral estate in all areas within tidewater limits including islands, lakes, bays, and the bed of the sea; dedicating the

mineral estate in river beds and channels and in all areas within tidewater limits including islands, lakes, bays, and the bed of the sea to the Permanent Free School Fund; abolishing the Board of Mineral Development; making an appropriation; providing that if any provision of this Act shall be held invalid or unconstitutional, the remaining provisions shall not be affected; providing that filings, applications, or litigation pending on effective date of this Act shall not be affected; suspending all parts of laws in conflict; and declaring an emergency."

Question—Shall the bill be passed to engrossment?

Senator Moffett offered the following amendment to the bill:

Amend Senate Bill No. 167, by striking out all below the enacting clause and substituting in lieu thereof the following:

"Section 1. All lands set apart for the Permanent Free School Fund and the several asylum funds by the Constitution and the laws of this State and the mineral estate in river beds and channels, and the mineral estate in all areas within tidewater limits including islands, lakes, bays, and the bed of the sea, are subject to control and disposition in accordance with the provisions of this Act and other laws not in conflict herewith; provided, however, that the provisions of this Act shall not apply to those lands awarded to the State of Texas by decree of the Supreme Court of the United States on March 17, 1930, in Cause entitled: The State of Oklahoma vs. The State of Texas, the United States of America, Intervenor, but said land shall be sold and disposed of in accordance with the provisions of Chapter 185, Acts of the Regular Session of the Forty-second Legislature.

"Sec. 2. The mineral estate in river beds and channels and in all areas within tidewater limits, including islands, lakes, bays, and the bed of the sea are hereby set apart and dedicated to the Permanent School Fund.

"Sec. 3. There is hereby created a board to be known as the School Land Board, and to be composed of three members, namely: the Commissioner of the General Land Office, who shall be chairman, the Governor and the Attorney General.

Sec. 4. The duties of the School Land Board shall be to set all dates for the leasing and the sale of surveyed lands, and to determine the prices at which any land, whether surveyed or unsurveyed, shall be leased or sold, and to perform any other duties that may be imposed upon them by law. All such lands shall be sold and leased subject to the terms and conditions provided by law, except that no land shall be appraised at a less price than Two Dollars (\$2.00) per acre; provided, however, that lands lying and being situated west of the Pecos River may be appraised at a price not less than One Dollar (\$1.00) per acre.

"Sec. 5. The School Land Board shall meet on the first and third Tuesdays of each month in the General Land Office, where its sessions shall be held and continued until its docket is cleared, subject to recesses at the discretion of the Board. The Board shall select a secretary who shall be nominated by the Commissioner of the General Land Office and approved by a majority of the Board. The Commissioner of the General Land Office is authorized to employ other employees which may be necessary for the discharge of the duties of the Board, and particularly is authorized to employ a geologist and mineralogist, who shall keep informed with reference to the minerals on public school lands and all activities under pending applications and previous leases and sales, and shall report to the Board all information obtained with reference thereto. The employees of the Board shall be deemed to be employees of the General Land Office, and all civil and criminal laws regulating the conduct and relations of the employees of the General Land Office shall apply in all things to the employees of the Board.

"Sec. 6. The School Land Board shall keep a record of its proceedings to be called its minutes which shall include a docket on which the secretary shall enter all matters to be considered by the Board, the minutes and docket to be subject to inspection by any citizen of Texas desiring to make an examination thereof on payment of such fees as may be prescribed by law for the examination of other Land Office records, the examination to be in all cases in the presence of the secretary of the Board

or some clerk designated for that purpose as prescribed by law. All records and proceedings of the Board shall be records and archives of the General Land Office.

"Sec. 7. The School Land Board, as soon after the passage of this Act as may be practicable, shall adopt rules of procedure and regulation for the sale and leasing of areas included herein not inconsistent with this Act and other laws on the subject for the sale and lease of school and asylum lands and the lease of the mineral estate in river beds and channels and islands, lakes and bays within tidewater limits and the bed of the sea.

"Sec. 8. The description of public free school land offered for sale or lease shall be in accord with such descriptions as may be found in the School Land Registry of the General Land Office and shall be entered on the docket; and when applications to purchase either the land or the lease, as the case may be, are filed, the name of the applicant and the amount of his bid shall also be entered on the docket. The minutes shall show the fact of acceptance of a bid or the rejection of a bid and the approval of the minutes will constitute the approval of the act of acceptance or the act of rejection, as the case may be.

"Sec. 9. It shall be the duty of the Commissioner of the General Land Office to furnish the Board from time to time a list of all lands subject to the provisions of this Act.

"Sec. 10. All awards or leases shall be issued by the Commissioner of the General Land Office in accordance with the minutes as approved by the School Land Board.

"Sec. 11. It shall be the duty of the School Land Board to advise the Commissioner in all matters submitted to it for such purpose.

"Sec. 12. The Board shall insert, in at least four daily newspapers in at least three issues of each, thirty days in advance of a sale date, which shall be the first Tuesday in any month, an advertisement to the effect that leases or land will be offered for sale on a certain date and that lists describing the land may be had at the General Land Office.

"Sec. 13. The School Land Board shall have the right to reject any and all bids, but unless the Board elects to reject any and all bids, it shall

be required to accept the best bid submitted.

"Sec. 14. (a) All function now vested by law in the Board of Mineral Development created by Chapter 40, Acts of the Second Called Session of the Forty-second Legislature, are hereby transferred to and vested in the School Land Board, subject to the same powers, rights, duties, restrictions and limitations now imposed by law upon the Board of Mineral Development. The Board of Mineral Development is hereby abolished.

"(b) Upon the taking effect of this Act, all books, papers, records, property and pending business theretofore made, used, acquired or conducted by the Board of Mineral Development in the exercise of its functions hereby transferred, shall be transferred to and vested in the School Land Board.

"(c) All officers and employees of the Board of Mineral Development may be transferred to the School Land Board, and shall perform the duties of the Board as directed by the Commissioner of the General Land Office, subject to the conditions hereinabove set forth. The Commissioner of the General Land Office shall have the power to eliminate unnecessary positions, to transfer officers and employees between positions, and to change the duties, titles and compensation of the existing offices and positions necessary to effect an efficient administration of the Board.

"(d) The balances of the appropriations heretofore made to the credit of the General Land Office for the use of the Board of Mineral Development are hereby made available for expenditure by the Commissioner of the General Land Office in the exercise of such functions hereby transferred to and vested in the School Land Board.

"Sec. 15. The sum of Twenty-five thousand Dollars (\$25,000.00), or so much thereof as may be necessary, is hereby appropriated annually out of any funds in the State Treasury, not otherwise appropriated, to pay the salaries and expenses of all persons employed or appointed by the Board as herein provided, and all other expenses necessary for the proper discharge of the duties of the Board. The compensation of all persons employed by the Board shall be in line with salaries paid other

State officials and employees holding similar positions and doing similar work.

"Sec. 16. Nothing in this Act shall apply to applications on file, or which are involved in pending litigation upon the effective date hereof, nor to the title to the land involved in any suit to which the State is now a party, nor to any pending suit.

"Sec. 17. If any provision of this Act shall be declared invalid or unconstitutional, the remaining provisions shall not be affected thereby, but shall remain in full force and effect.

"Sec. 18. All laws or parts of laws in conflict herewith are hereby expressly suspended to the extent of such conflict only.

"Sec. 19. Nothing in this Act shall be construed as removing from or interfering with the rights and powers of the surface owner of lands sold or to be hereafter sold by the State, with a mineral reservation, to act as agent of the State in making and executing mineral leases covering and affecting such lands, but the authority of such surface owner shall remain the same as provided by law, and is in no wise abridged, modified or removed by this Act.

"Sec. 20. The fact that existing laws do not afford adequate provision for the protection of the Permanent School Fund in the sale and leasing of lands set apart as an endowment for such fund, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and said rule is hereby suspended, and this Act shall take effect and be in full force from and after its passage, and it is so enacted."

And amend the caption accordingly.

(President Pro Tempore Moore in the Chair.)

Senator Moffett offered the following amendment to the amendment:

Amend Substitute for S. B. No. 167, by striking out of Section 15 the words and figures: "Twenty-five Thousand Dollars (\$25,000.00)" and substitute therefor the words and figures: "Ten Thousand Dollars (\$10,000.00)".

MOFFETT,
METCALFE.

The amendment to the amendment was adopted.

Senator Aikin offered the following amendment to the amendment:

Amend Substitute for S. B. No. 167 by adding the following at the end of Section 15:

"This section shall be for the biennium ending August 31, 1939, after which the appropriation shall be as itemized in the Departmental Appropriation Bill."

The amendment to the amendment was adopted.

Senator Hill moved to table the bill subject to call.

Yeas and nays were demanded, and the motion to table subject to call was lost by the following vote:

Yeas—3

Brownlee	Pace
Hill	

Nays—15

Aikin	Metcalfe
Burns	Moffett
Cotten	Moore
Graves	Redditt
Hardin	Roberts
Isbell	Small
Lanning	Stone
Lemens	of Galveston

Present—Not Voting

Nelson	Van Zandt
Sulak	

Absent

Beck	Spears
Collie	Stone
Head	of Washington
Shivers	Winfield

Absent—Excused

Kelley	Weinert
Martin	

Senate Bill No. 24 with House Amendments

Senator Roberts called up S. B. No. 24 from the President's table, for consideration of the House amendments to the bill.

The President Pro Tempore laid the bill before the Senate, and the House amendments were read.

Question—Shall the Senate concur in the House amendments?

The Senate concurred in the House amendments by the following vote:

Yeas—23

Aikin	Moffett
Brownlee	Moore
Burns	Nelson
Collie	Pace
Cotten	Redditt
Graves	Roberts
Hardin	Stone
Head	of Galveston
Hill	Stone
Isbell	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	

Absent

Beck	Spears
Shivers	Winfield
Small	

Absent—Excused

Kelley	Weinert
Martin	

Report of Committee on Education

Senator Aikin, by unanimous consent, submitted at this time the following report:

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 443, A bill to be entitled "An Act creating county-wide equalization school districts in all counties containing a population of not less than Thirty-five Thousand (35,000) nor more than Sixty-seven Thousand Five Hundred (67,500) according to the last preceding Federal Census, and containing a valuation of Seventy-five Million Dollars (\$75,000,000), or more, according to the last approved tax rolls for state and county purposes; providing for the vesting of the general management, supervision, and control of the public schools and educational interests of such counties in the County Board of School Trustees and constituting such trustees as the Board of Trustees for such county-wide equalization districts; making provision for the levying of an equalization tax of not to exceed Twenty-five (25) Cents on One Hundred Dollars (\$100.00) valuation of property situated within the county; providing for the holding of an election in each county on the

question of levying such equalization tax and providing for the assessment and collection of such taxes by the County Tax Collector, prescribing his duties and compensation; making provision to constitute the County Superintendent as Treasurer of the county-wide equalization district and prescribing his duties, designating the county depository as the depository for such district; prescribing the duties of the County Board of Trustees with respect to such tax and funds derived therefrom; providing that the Act shall not have the effect of changing any duties or powers imposed upon the Trustees of any common or independent school districts except as expressly provided in the Act; providing a saving clause; repealing all laws in conflict herewith, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

AIKIN, Chairman.

Senate Bill 443 on Second Reading

Senator Hill moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 443 be placed on its second reading and passage to engrossment and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Lanning	of Washington
Lemens	Sulak
Metcalf	Van Zandt
Moffett	Winfield

Absent—Excused

Kelley	Weinert
Martin	

On motion of Senator Hill and by unanimous consent, Senate rules 31a and 48 were suspended, and the regu-

lar order of business was suspended, to permit consideration of S. B. No. 443 at this time.

The President Pro Tempore laid the bill before the Senate on its second reading and passage to engrossment.

The bill was read second time and was passed to engrossment.

Senate Bill 443 on Third Reading

The President Pro Tempore then laid S. B. No. 443 before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Moore asked to be recorded as voting "nay" on the passage of the bill.

Message from the House

A Clerk from the House was recognized to present the following message.

Hall of the House of Representatives,
Austin, Texas, April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 24, A bill to be entitled "An Act amending Subdivision (a) of Section 9 of Article IV of Chapter 495 of the Acts of the Third Called Session of the Forty-fourth Legislature, so as to limit the operation of said Subdivision to purchase money notes and obligations secured by any written instruments evidencing a lien or retention of title which are filed or recorded in the office of the county clerk under the registration laws of this State, and to exempt from its provisions notes and obligations or instruments securing same taken by or on behalf of the State of Texas or any corporate agency of instrumentality of the State of Texas, in carrying out a governmental purpose as expressed in any act of the Legislature of the State of Texas, and declaring an emergency." (With amendments.)

S. B. No. 154, A bill to be entitled "An Act to amend the Acts of 1925, Thirty-ninth Legislature, page 86, Chapter 25, Section 77, as added to

by Acts of 1929, Forty-first Legislature, page 578, Chapter 280, Section 9, Article 7880-77a, by re-enacting Section (b) under said Section 77a of Article 7880 of the Revised Civil Statutes of 1925, so that limitation shall not run or be pleaded against any taxes or assessments provided for in Sections 106, 107, 108 and 109 of Chapter 25, the specific purpose of this Act being to re-enact said Section (b) which has been held invalid by the United States District Court, in Re: American Rio Grande Land and Irrigation Company, D. C. 21 Federal Reporter Supp. 492, because the provision therefor was not set forth in the caption of the Bill wherein said Section (b) was enacted, and declaring an emergency.

S. B. No. 185, A bill to be entitled "An Act to extend to August 31, 1939, all provisions relative to the expenditure of funds already collected under the provisions of S. B. 47, Acts 1937, Forty-fifth Legislature, and declaring an emergency."

S. B. No. 187, A bill to be entitled "An Act providing that the salary and expenses of the official Court Reporter in each Judicial District in this State having four or more counties, and having a population in excess of 107,500 according to the latest or any future United States Census may, within the discretion of the Commissioners' Court, be paid out of the Jury Fund; and declaring an emergency." (With amendments.)

S. B. No. 191, A bill to be entitled "An Act amending Section 67 of Chapter 61, Acts of the Second Called Session of the Forty-first Legislature, relating to foreign building and loan associations doing business in this State; and declaring an emergency."

S. B. No. 214, A bill to be entitled "An Act amending Article 1645 of the Revised Civil Statutes of Texas of 1925, as amended by Chapter 15, Acts of the Forty-second Legislature, Second Called Session, and as amended by Acts of the Forty-fifth Legislature, First Called Session; by adding thereto Article 1645d 2, fixing the compensation of the County Auditors of every County having a population of not less than forty-nine thousand one hundred (49,100) and not more than fifty-one thousand (51,000) inhabitants, according to the 1930 Federal Census, and prescribing how

same shall be paid, repealing all laws in conflict therewith and declaring an emergency."

S. B. No. 264, A bill to be entitled "An Act granting permission to Mount Olivet Cemetery Company, a private corporation chartered under the laws of this State, and to bring and prosecute suit against the State of Texas and the State Highway Commission of Texas in any court of competent Jurisdiction in Tarrant County, Texas, to ascertain the amount, if any, due the Mount Olivet Cemetery Company for damages alleged to have been sustained by reason of the construction and maintenance of the State Highway and the overpass on said State Highway which runs in a general easterly and westerly direction on the north side of the cemetery belonging to and operated by the Mount Olivet Cemetery Company in Tarrant County, Texas, said Highway being known as State Highway No. 15, and for the breach or violation of any contract or agreement between said corporation or its agents and the State of Texas or State Highway Commission, or their agents, acting alone or in conjunction with the agents of Tarrant County, Texas; that said suit shall be tried according to the rules of law and equity and procedure as would be applicable if the suit were one by and between citizens of the State of Texas or by and between private corporations; providing for a right of appeal by either party and for the joinder of other proper or necessary parties; providing for the service of citation on the State and the Highway Commission, and how the judgment, if any, recovered, shall be paid, and providing the time in which such suit may be brought, and providing that the State of Texas and the State Highway Commission may plead any defense available to it, except the Statute of Limitation, and declaring an emergency."

S. B. No. 269, A bill to be entitled "An Act amending Article 4006 of the Revised Civil Statutes of Texas of 1925, relating to granting of free passes, and declaring an emergency."

S. B. No. 272, A bill to be entitled "An Act to repeal Section 17 of Art. 8308, Revised Civil Statutes of 1925, and declaring an emergency."

S. B. No. 326, A bill to be entitled "An Act to amend Chapter 184 of the

Regular Session of the Forty-fourth Legislature creating the Texas National Guard Armory Board and defining its powers and duties as amended by Chapter 366 of the Regular Session of the Forty-fifth Legislature; creating a Board to be composed of five members; defining its powers and duties; defining the length of term of the membership of said Board; providing that all property and all lease contracts of the former Board shall pass to the new Board and that the obligations of the old Board in connection therewith shall be assumed and performed by the new Board; describing the characteristics of the securities issued and sold by the Board; permitting the Armory Board to construct buildings on sites in Camps Mabry, Hulen and Wolters; providing that a finding of unconstitutionality of any part of this Act shall not affect the validity of the remainder and declaring an emergency." (With amendments.)

S. B. No. 334, A bill to be entitled "An Act authorizing the Commissioners' Court of McMullen County to pay bounties on coyote scalps in McMullen County to preserve game in said county; enacting the necessary regulations in reference thereto; and declaring an emergency."

S. B. No. 340, A bill to be entitled "An Act granting permission to I. H. Mitchell and wife, Mrs. I. H. Mitchell, to bring suit against the State of Texas and the Department of Public Safety of the State of Texas in a court of competent jurisdiction for alleged damages resulting by reason of alleged injuries to the automobile of the said I. H. Mitchell and to the person of Mrs. I. H. Mitchell by reason of an alleged accident due and owing to the alleged carelessness and negligence of Carroll Monroe in Palo Pinto County on or about November 25, 1936, while said Carroll Monroe was an officer, member, agent, employee, and servant of the Texas Highway Patrol and the Department of Public Safety of the State of Texas; providing that any judgment so recovered may be paid out of the funds of the Department of Public Safety of the State of Texas; providing that if any provision of this Act shall be invalid, the validity of the other provisions thereof shall not be affected thereby; and declaring an emergency."

S. B. No. 352, A bill to be entitled "An Act amending Section 7, Article 8306, Part 1, Title 130, Revised Civil Statutes of 1925 by extending period for which medical aid shall be provided not exceeding ninety-one (91) days when authorized by Board, and declaring an emergency."

S. B. No. 367, A bill to be entitled "An Act authorizing the Commissioners Court in any county having a population of not less than 10,399, and not more than 10,499 according to the last preceding Federal Census, to allow each county commissioner certain traveling expenses while traveling on official business, and declaring an emergency." (With amendments.)

S. B. No. 381, A bill to be entitled "An Act to amend Article 880, H. B. No. 111, Acts of the Second Called Session, Forty-fifth Legislature, relating to the use of dogs in the hunting or pursuing or taking of any deer in certain counties; and providing for a penalty."

S. B. No. 392, A bill to be entitled "An Act authorizing cities eligible under the terms of this Act to fund certain indebtedness outstanding on January 1, 1939; prescribing the method and procedure for issuance of funding bonds and warrants; validating such outstanding indebtedness not in litigation at the time this Act becomes effective; providing that this Act shall be cumulative of all other Acts but that its provisions shall prevail in the event of conflict with other laws; enacting provisions incident to and relating to the subject, and declaring an emergency."

S. B. No. 420, A bill to be entitled "An Act prescribing the method for the annexation of unoccupied territory contiguous and adjacent to the city limits of certain incorporated cities or towns, on petition of the owners of all such territory; providing for the recording of such petitions, and declaring an emergency."

S. B. No. 421, A bill to be entitled "An Act to amend Article 1323 of R. C. S. of 1925, as amended by H. B.

No. 626, Chapter 235, Acts of the Regular Session of the Fortieth Legislature, as amended by S. B. No. 129, Acts of the Regular Session of the Forty-sixth Legislature, so as to provide for the length of terms which directors may be elected to and serve for corporations formed under Subdivision 7 of Chapter 1, Title 32, R. C. S. of 1925, repealing all laws in conflict herewith and declaring an emergency."

S. B. No. 425, A bill to be entitled "An Act amending Article 2940, Chapter 3, Title 50 of the Revised Civil Statutes of 1925 so as to provide that no one shall act as chairman or as member of any District, County or City Executive Committee, who has not paid his poll tax, or who holds any office of profit or trust in either the United States or this State, or in any city or town in this State; omitting the State or National Executive Committees; repealing all laws in conflict; and declaring an emergency."

H. B. No. 933, A bill to be entitled "An Act making an appropriation for the next biennium, for the purpose of promoting public school interest and equalizing the educational opportunities afforded by the State to all children of scholastic age within the State; making allocations of said appropriation, setting forth the benefits thereof; authorizing aid to such schools in accordance with the conditions specified herein; providing for the maintenance for a certain length of term of all schools meeting the requirements of this Act; providing for the payment each year of the biennium of high school tuition for rural school pupils; providing for the payment of Transportation Aid under certain conditions; specifying the penalties for violation of any provision of this Act; declaring it to be unlawful for any agent or employee of the State to violate any provision of this Act, and prescribing the punishment therefor; providing all costs of administering funds named in this Act shall be paid out of moneys appropriated in this Act under authority of the State Superintendent of Public Instruction under the direction of the Supervisory Board as provided for in

this Act; authorizing the State Superintendent of Public Instruction, under the direction of the Supervisory Board as provided for in this Act, to administer the funds appropriated herein; providing purposes for which funds appropriated hereunder may be used; providing for the method and manner of appointing certain employees; providing for application for aid; and declaring an emergency."

H. C. R. No. 111, Requesting the Governor to return H. B. No. 166 to the House for correction of a clerical error.

S. B. No. 426, A bill to be entitled "An Act to amend Article 5885 of the Revised Civil Statutes of Texas, 1925, so as to define the assistance which Counties, Cities and Towns may render to the National Guard, validating certain donations heretofore made, and declaring an emergency."

S. B. No. 428, A bill to be entitled "An Act to amend Article 5790 of the Revised Civil Statutes of Texas, 1925, relating to the powers of the Adjutant General of the State of Texas; and declaring an emergency."

S. B. No. 434, A bill to be entitled "An Act authorizing the Board of Control and Governor to execute deed and effect sale and transfer of one-half ($\frac{1}{2}$) acre of land in Upshur County, Texas; describing said land by metes and bounds; providing for deed and mode and manner of executing same; providing for consideration of said deed, and declaring an emergency."

The House has adopted the Conference Committee Report on Senate Bill No. 221 by a vote of 109 ayes and 0 noes.

The House has granted the request of the Senate for the appointment of a conference committee on S. B. No. 370. The following are appointed on part of the House: Stinson, Thornton, Leonard, Hartzog, Roberts.

Respectfully submitted,

E. R. LINDLEY,

Chief Clerk, House of Representatives.

Senate Bill 167 on Passage to Engrossment

The Senate resumed consideration of pending business, same being S. B. No. 167, relating to lease of public lands, on its passage to engrossment; with amendment by Senator Moffett pending.

The amendment (as amended) was adopted.

The bill was passed to engrossment.

Senate Bill 167 on Third Reading

Senator Moffett moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 167 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Lanning	of Washington
Lemens	Sulak
Metcalf	Van Zandt
Moffett	Winfield

Absent—Excused

Kelley	Weinert
Martin	

The President Pro Tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—24

Aikin	Head
Beck	Isbell
Brownlee	Lanning
Burns	Lemens
Collie	Metcalf
Cotten	Moffett
Graves	Moore
Hardin	Nelson

Pace	Stone
Redditt	of Washington
Roberts	Sulak
Shivers	Van Zandt
Stone	
of Galveston	

Nays—1

Hill

Absent

Small
Spears

Winfield

Absent—Excused

Kelley
Martin

Weinert

Senate Concurrent Resolution 20

The President Pro Tempore laid before the Senate for consideration at this time:

S. C. R. No. 20, Requesting the transfer of all records of the State Planning Board to quarters tendered by A. & M. College at College Station, and accepting the offer of the officials of such College to carry on the work of said Board.

Senator Brownlee raised a point of order against further consideration of the resolution on the ground that it purposes to amend a general law; which may not be done by a concurrent resolution.

Senator Brownlee withdrew the point of order.

Senator Roberts offered the following substitute for the resolution:

Whereas, On March 16th, 1939, the appropriation for the Texas Planning Board was exhausted and the Board went out of existence because of the fact the Legislature, in its wisdom, did not choose to extend its life, thereby saving the tax payers of Texas approximately thirty-three thousand dollars annually which was the cost for maintaining said board; and

Whereas, There are articles of furniture and fixtures that had been collected by said board; and

Whereas, It is important that this furniture be disposed of; therefore, be it

Resolved by the Senate of the Forty-sixth Legislature, the House concurring, That the State Board of Control be instructed to place the furniture and fixtures used by the Texas Planning Board to other State use where they might be needed; and be it further

Resolved, That this Legislature express its appreciation to the members of the Planning Board and its employees for the fine work it has done.

(President in the Chair.)

The substitute was adopted.

The resolution as substituted was adopted.

Senate Bill 309 on Second Reading

On motion of Senator Pace and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 309 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 309, A bill to be entitled "An Act enlarging the powers and duties of the State Department of Education of the State of Texas, so as to provide a Division for the Prevention of Crime by Education; providing for the appointment of the Personnel of said Division; fixing their salaries, and defining their duties; providing that clerks of the courts of the various districts, counties, precincts, and cities of the State of Texas make monthly reports to this Division, containing the history of the career of crime of all defendants convicted for crime in such courts, the educational attainments of such convicts and their social surroundings; providing and directing that the heads of the various public schools of the State of Texas cooperate with this Division in the work of the prevention of crime by assisting in creating crime clinics in each public school under the supervision of this Division; fixing a fee of Fifty (50c) Cents, or so much thereof as may be necessary, with the exception of convictions where the State has

to pay the fine and costs, to be taxed as costs in each misdemeanor conviction, and Fifty (50c) Cents, or so much thereof as may be necessary, to be taxed as costs in each divorce case prosecuted to final judgment in this State, except those allowed by the court to be prosecuted on paupers oaths, to provide revenue for the support of this Division; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Senator Pace offered the following amendment to the bill:

Amend S. B. No. 309, by striking out all below the enacting clause and inserting in lieu thereof the following:

Section 1. There is hereby created a Division of the State Department of Education to be known as The Division for the Prevention of Crime by Education, to be operated and directed under the supervision of the State Superintendent of Public Instruction; power and authority is hereby given to the State Superintendent of Public Instruction to appoint the personnel of said Division, consisting of a director or supervisor to be located in the office of the Department of Education at Austin, Texas, a Field Superintendent, an Assistant Field Superintendent, and a chief clerk. The salaries of each are to be fixed in the Biennial Departmental Bill. Such other employees and the salaries of same shall also be fixed in the Biennial Departmental Bill for the Department of Education.

Sec. 2. The Director or Supervisor of this Division, the Field Superintendent, and the Assistant Superintendent, under the direction of the State Superintendent of Public Instruction, shall constitute the governing board of this Division, and shall immediately upon taking office, perfect an organization in each County of the State of Texas, and subdivisions of said counties where it reasonably appears to said board that such organization of such subdivisions of said counties are necessary to reasonably carry on the work of this Division, for the purpose of creating Crime Clinics to be conducted in the Public Schools of the State of Texas, with such educational programs at stated times to be arranged by the

Governing Board of this Division, in conjunction with the governing powers of such Public Schools, as may reasonably appear to them to be necessary to educate and train the youth of this State against crime.

Sec. 3. When these Crime Clinics are created and organized in the Public Schools of this State, it shall be the duty of the governing authorities of such Public Schools to designate and establish such periods of time, and provide a place in which same may be held, at the direction of the Governing Board, at which such educational programs for the prevention of crime may be held. The governing boards or authorities of such Public Schools where these Clinics are held, shall require every pupil or student of such Public Schools to attend these Crime Clinics in the same manner as they are required to attend other classes and study periods.

Sec. 4. The Public Schools of this State may, under the supervision of the State Superintendent of Public Instruction, assisted by the Governing Board here created, establish a regular course in Crime Prevention as a part of their regular curriculum, the taking of which by the pupils or students of such schools shall be computed in credits for graduation in such manner and to such degree as may be determined by the Governing Board of such School and the State Superintendent of Public Instruction.

Sec. 5. The Governing Board of this Division, in addition to the Crime Clinics to be conducted in conjunction with the Public Schools, may, with the voluntary assistance and cooperation of the various civic organizations of the respective cities and towns, establish other and additional Crime Clinics and organizations, designed to reach the youths who are not in Public Schools. These Clinics may be had and held at night, or at such other time deemed reasonably necessary to secure the maximum attendance of those sought to be reached.

Sec. 6. The Clerks of the District Courts, County Courts, County Criminal Courts, Justices of the Peace, Judges of the Corporation Courts, and/or their Clerks, in offenses involving moral turpitude, in order to assist this Division in the prevention of crime by education, shall secure from each person convicted in their respective Courts for crimes and offenses, a brief history of every such person so convicted in their respective

Courts, on blanks to be furnished such officials by the Governing Board of this Division, substantially as follows:

1. Name and address of offender..
2. Offense for which convicted....
3. Previous convictions (Nature and dates of offenses, time served or fine paid, when, etc.).....
4. Name and address of parents, if living.....
5. If dead, when did they die.....
6. Were parents ever divorced, if so, did either remarry, and if divorced and remarried during minority of subject, which parent assumed custody of subject.....
7. Number of brothers and sisters.....
8. Was either parent or brother or sister ever convicted of a felony or other crime involving moral turpitude, if so which one, or ones, and for what offense.....
9. Subject married or single, if married, how many times, if ever divorced.....
10. Names of children, if any, and where located.....
11. Schools attended and what grade reached.....
12. Now, or ever, been member of any Church or Sunday School.....
13. Any other organizations to which has belonged.....
14. Brief explanation of person convicted, in his own words, why he considers he committed offense.

Sec. 7. At the close of each month, such officials taking this history of such persons convicted, shall forward them to the Governing Board of this Division, at Austin, Texas, to be filed and kept by such Governing Board for its use and reference in conducting its educational campaign against crime.

Sec. 8. The Governing Board of said Division is further authorized and empowered to make such survey or surveys at all such times as they reasonably deem necessary, or at the directions of the Legislature at any time, to determine the best methods of caring for handicapped and underprivileged children, and to make recommendations to the State Department of Education and to the Legislature that will insure attendance of these children in the public schools of this State.

Sec. 9. For the purpose of creating sufficient revenue for salaries and

expenses incurred in the creation and operation of this Division, there is hereby fixed and levied, to be taxed as a part of the costs of prosecution, the sum of Fifty cents (50c) to be collected by the Courts assessing fines and/or jail sentences in all misdemeanor convictions, except in cases of paupers whose fines and costs are served out in jails or on farms designated by jurisdiction where convictions are had, and Fifty Cents (50c) to be taxed as costs in each divorce case prosecuted to final judgment in the Courts of this State, except divorce cases allowed by the trial Court to be prosecuted on paupers' oaths. These sums so fixed shall be in addition to costs now existing or that may be fixed and charged in the future.

Sec. 10. The Clerks of the respective Courts assessing and collecting these fines will, at the close of each calendar month, remit same to the Treasurer of the State of Texas, who shall deposit same in the Treasury to the credit of The Division for the Prevention of Crime by Education of the State Department of Education, and so much thereof as may be reasonably necessary to be used in paying salaries and other expenses incident to the creation, extension and operation of this Division shall be withdrawn on voucher issued and signed by the State Superintendent, and countersigned by the State Auditor.

Sec. 11. All laws and parts of laws in conflict herewith are hereby repealed.

Sec. 12. The fact that the tremendous costs of crime, and the increasing tendency of the youth of this State toward crime, demand a cure in the educational system for the prevention of crime through the educational systems of this State, create an emergency and an imperative public necessity, and that the Constitutional Rule requiring Bills to be read on three several days in each House be suspended, and said Rule is hereby suspended, and that this Act shall take effect and be in force from and after its passage, and it is so enacted.

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 309 on Third Reading

Senator Pace moved that the constitutional rule requiring bills to be

read on three several days be suspended and that S. B. No. 309 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—25

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Graves	Small
Hardin	Stone
Head	of Galveston
Hill	Stone
Isbell	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Winfield
Moffett	

Nays—1

Cotten

Absent

Shivers

Spears

Absent—Excused

Kelley
Martin

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—25

Aikin	Moffett
Beck	Moore
Brownlee	Nelson
Burns	Pace
Collie	Redditt
Graves	Roberts
Hardin	Shivers
Head	Small
Hill	Stone
Isbell	of Galveston
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Winfield

Nays—1

Cotten

Absent

Spears

Stone
of Washington

Absent—Excused

Kelley
Martin

Weinert

House Bills and Joint Resolution
on First Reading

The following bills and joint resolution received from the House today, were laid before the Senate, read severally first time, and referred to the committees indicated:

H. B. No. 926, to Committee on Finance.

H. B. No. 933, to Committee on Finance.

H. J. R. No. 1, to Committee on Constitutional Amendments.

House Concurrent Resolution 110

The following resolution, received from the House today, was laid before the Senate:

H. C. R. No. 110, Recalling H. B. No. 84 from the Governor's Office for further consideration.

The resolution was read; and by unanimous consent, it was considered immediately.

The resolution was adopted.

House Concurrent Resolution 111

The following resolution, received from the House today, was laid before the Senate:

H. C. R. No. 111, Recalling H. B. No. 166 from the Governor.

The resolution was read; and by unanimous consent, it was considered immediately.

The resolution was adopted.

Bills Signed

The President signed, in the presence of the Senate, after their captions had been read, the following enrolled bills:

H. B. No. 948, "An Act providing for County Auditor in all counties having a population of not less than fourteen thousand, eight hundred and fifty, (14,850) and not more than fourteen thousand, nine hundred and twenty, (14,920) according to the last preceding Federal Census, or any subsequent Federal Census; prescribing duties of said Auditor; providing salary for such Auditor; prescribing mode and manner of pay-

ment of such salary, and declaring an emergency."

H. B. No. 953, "An Act amending Article 2326a of the 1925 Revised Civil Statutes of Texas (which said Article 2326a was passed by Acts, 1929, Forty-first Legislature, page 112, C. H. 56), by adding thereto a provision for expenses for court reporters in certain Judicial Districts, and declaring an emergency.

House Bill 931 on Second Reading

On motion of Senator Beck and by unanimous consent, Senate rule 31a was suspended, and the regular order of business was suspended, to permit consideration of H. B. No. 931 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 931, "A bill to be entitled "An Act to increase the criminal jurisdiction of the 76th Judicial District Court of Morris County, transferring all criminal cases on the docket of the County Court to the docket of the District Court at the time of the passage of this Act, and to conform the jurisdiction of the County and Justice Courts of said County to such change; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 931 on Third Reading

Senator Beck moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 931 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Lemens
Beck	Metcalf
Brownlee	Moffett
Burns	Moore
Collie	Nelson
Cotten	Pace
Graves	Redditt
Hardin	Roberts
Head	Shivers
Hill	Small
Isbell	Stone
Lanning	of Galveston

Stone of Washington Sulak	Van Zandt Winfield
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Absent

Spears

Absent—Excused

Kelley Martin	Weinert
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—27

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Stone
Head	of Galveston
Hill	Stone
Isbell	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Winfield
Moffett	

Absent

Spears

Absent—Excused

Kelley Martin	Weinert
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House Bill 518 on Second Reading

The President laid before the Senate on its second reading and passage to third reading (the bill being substantially the same as S. B. No. 204, next in order on the President's Calendar):

H. B. No. 518, A bill to be entitled "An Act making it unlawful for any person to engage in fishing from any causeway, bridge or structure located on any highway being maintained by the State Highway Department; making the violation of this Act a misdemeanor and providing a penalty for violation, and declaring an emergency."

The bill was read second time.

Senator Redditt offered the following amendment to the bill:

Strike all below the enacting clause of H. B. No. 518 and substitute in lieu thereof the following:

"Section 1. From and after the effective date of this Act it shall be unlawful for any person to engage in fishing from any causeway, bridge or structure located on any highway which is being maintained by the State Highway Department.

"Sec. 2. Any person who shall violate the terms of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than \$5.00 nor more than \$50.00.

"Sec. 3. The fact that the practice of fishing from causeways and bridges located on State maintained highways is a great hazard to the welfare of the traveling public and the persons who engage in such fishing creates an emergency and an imperative public necessity demanding that the Constitutional Rule requiring all bills to be read on three several days in each House be suspended, and the same is hereby suspended, and this Act shall be in force and effect from and after its passage, and it is so enacted."

And amend the caption to conform. The amendment was adopted.

The bill was passed to third reading.

House Bill 518 on Third Reading

Senator Redditt moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 518 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—21

Beck	Pace
Brownlee	Redditt
Cotten	Roberts
Graves	Shivers
Hardin	Small
Isbell	Stone
Lanning	of Galveston
Lemens	Stone
Metcalf	of Washington
Moffett	Van Zandt
Moore	Winfield
Nelson	

Nays—4

Aikin	Hill
Collie	Sulak

Absent

Burns
Head

Spears

Absent—Excused

Kelley
Martin

Weinert

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

Question—Shall the bill be passed?

Yeas and nays were demanded, and the bill was passed by the following vote:

Yeas—16

Beck	Roberts
Brownlee	Shivers
Hardin	Small
Isbell	Stone
Lemens	of Galveston
Moore	Stone
Nelson	of Washington
Pace	Van Zandt
Redditt	Winfield

Nays—9

Aikin	Lanning
Collie	Metcalf
Cotten	Moffett
Graves	Sulak
Hill	

Absent

Burns
Head

Spears

Absent—Excused

Kelley
Martin

Weinert

Senate Bill No. 204 Tabled

On motion of Senator Redditt, S. B. No. 204 was tabled, H. B. No. 518 on the same subject having been passed.

House Bill 851 on Second Reading

The President laid before the Senate on its second reading and passage to third reading (the bill being substantially the same as S. B. No. 4, next on the calendar of business on the President's table):

H. B. No. 851, A bill to be entitled "An Act amending Section 20 of

Chapter 76 of the Acts of the Forty-fourth Legislature, Regular Session of 1935, as amended by Section 1 of Chapter 15 of the Acts of the Forty-fifth Legislature, Regular Session of 1937, so as to provide for the termination of the Act on September 1, 1941; providing all other Sections of the Act shall remain in full force and effect; providing all offenses, liabilities, penalties or forfeitures, civil or criminal incurred because of violation of said Act shall be instituted and proceeded with in all respects as if said Section 20 had read in its original enactment the same as provided for in this Act; providing the procedure prescribed in said Chapter 76 shall be followed in all prosecutions and suits now pending or hereafter instituted, and declaring an emergency."

The bill was read second time.

Senator Beck offered the following amendment to the bill:

Amend H. B. No. 851 by adding a new paragraph to be numbered as follows:

"In all Texas oil fields where the production of oil extends across a State line, the allowable per well on the Texas side shall never be reduced below the allowable in adjoining State or States."

Recess

Senator Metcalfe moved that the Senate recess to 2:00 o'clock p. m. today.

The motion prevailed; and the Senate, accordingly, at 12:10 o'clock p. m., took recess to 2:00 o'clock p. m. today.

Afternoon Session

The Senate met at 2:00 o'clock p. m. and was called to order by the President.

House Bill 604 on Second Reading

On motion of Senator Moore and by unanimous consent, the regular order of business was suspended, to permit consideration of H. B. No. 604 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 604, A bill to be entitled "An Act to amend Chapter 33 of the General Laws of the Thirty-ninth Legislature, Regular Session, 1925, as amended, so as to make certain provisions with respect to the authorization and issuance of revenue bonds and notes by cities having more than one hundred and sixty thousand (160,000) inhabitants, and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 604 on Third Reading

Senator Moore moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 604 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Lanning	of Washington
Lemens	Sulak
Metcalfe	Van Zandt
Moffett	Winfield

Absent—Excused

Kelley	Weinert
Martin	

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Collie
Beck	Cotten
Brownlee	Graves
Burns	Hardin

Head	Roberts
Hill	Shivers
Isbell	Small
Lanning	Spears
Lemens	Stone
Metcalfe	of Galveston
Moffett	Stone
Moore	of Washington
Nelson	Sulak
Pace	Van Zandt
Redditt	Winfield

Absent—Excused

Kelley	Weinert
Martin	

House Bill 851 on Passage to Third Reading

The Senate resumed consideration of pending business, same being H. B. No. 851, extending the operation of the oil proration law, on its passage to engrossment, with amendment by Senator Beck pending.

Question—Shall the amendment be adopted?

Senator Small raised a point of order against further consideration of the amendment on the ground that it is not germane to the original purpose of the bill (the purpose being only to extend the operation of a law and not to change or supplement it).

The President overruled the point of order.

Senator Van Zandt moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—16

Brownlee	Shivers
Collie	Small
Graves	Spears
Hardin	Stone
Isbell	of Galveston
Metcalfe	Stone
Moffett	of Washington
Redditt	Van Zandt
Roberts	Weinert

Nays—13

Aikin	Head
Beck	Hill
Burns	Lanning
Cotten	Lemens

Moore	Sulak
Nelson	Winfield
Pace	

Absent—Excused

Kelley	Martin
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Senator Burns submitted the following point of order in writing:

Mr. President:

I raise the following point of order against H. B. No. 851 now being considered by the Senate of the State of Texas, for the following reasons:

That it violates Article 3, Section 36, of the Constitution of the State of Texas in that said Section of the Constitution provides "No law shall be revived or amended by reference to its title; but in such case the Act revived, or the section or sections amended, shall be re-enacted and published at length."

I further raise the point of order that Section 2 of the bill violates Article 3, Section 36 of the Constitution of the State of Texas in that said Section 2 attempts to re-enact and continue in full force and effect a criminal statute and the penalties, which is in violation of the above named article and section of the Constitution of the State of Texas, and that all criminal prosecutions terminate and die with temporary statute.

Respectfully submitted,
GORDON M. BURNS.

Senator Small moved that further consideration of bill be postponed until 10:00 o'clock a. m. next Wednesday and that it take its regular position on the calendar for that day.

The motion prevailed.

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has

refused to concur in Senate amendments to H. B. No. 518 and requests the appointment of a conference committee to adjust the differences between the two Houses. The following are appointed on the part of the House: Monkhouse, Hartzog, Harde-man, Corry, Shell.

The House has concurred in Senate amendments to H. B. No. 95 by a vote of 125 yeas, 1 no.

Respectfully submitted,

E. R. LINDLEY,

Chief Clerk, House of Representatives.

Committee Substitute for Senate Bill 397 on Second Reading

On motion of Senator Cotten and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 397 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 397, A bill to be entitled "An Act to amend Article 4690 of the Revised Civil Statutes of Texas, 1925, as amended by Chapter 152 of the General Laws of the Regular Session of the Forty-second Legislature, by adding Article 4960d to regulate examinations of foreign corporations by the Actuary and Examiners of the Board of Insurance Commissioners; fix rate and method of collection of per diem and expenses therefor; and declaring an emergency."

The bill was read second time and was passed to engrossment.

Committee Substitute for Senate Bill 397 on Third Reading

Senator Cotten moved that the constitutional rule requiring bills to be read on three several days be suspended and that C. S. S. B. No. 397 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Collie
Beck	Cotten
Brownlee	Graves
Burns	Hardin

Head	Shivers
Hill	Small
Isbell	Spears
Lanning	Stone
Lemens	of Galveston
Metcalf	Stone
Moffett	of Washington
Moore	Sulak
Nelson	Van Zandt
Pace	Weinert
Redditt	Winfield
Roberts	

Absent—Excused

Kelley	Martin
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Moore
Beck	Nelson
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Head	of Galveston
Hill	Stone
Isbell	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield

Absent

Pace

Absent—Excused

Kelley	Martin
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Report of Conference Committee on House Bill 613

Senator Roberts submitted the following report of the conference committee on H. B. No. 613:

Austin, Texas,
April 20, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the two Houses on H. B. No. 613,

Have had the same under consider-

ation and we recommend to the Senate and House of Representatives that said bill pass in the form hereto attached.

Respectfully submitted,
SEGRIST,
CAUTHORN,
KERR,
HANKAMER,
SKILES,

On the part of the House.

ROBERTS,
GRAVES,
LANNING,
KELLEY,
BROWNLEE,

On the part of the Senate.

By Segrist, et al. H. B. No. 613.

A BILL TO BE ENTITLED

An Act amending Sections 8 and 21, Chapter 41 of the Acts of the Fortieth Legislature, First Called Session, so as to require physical marks of identification in deaths of nonresident persons, also finger prints of the deceased; and so as to require the State Registrar to enter into an agreement with the Bureau of the Census for the franking privilege, and the blanks furnished by the United States Census Bureau, and that the transcripts made for the United States Census Bureau to be made under the direction of the State Registrar, and for the issuance of photostatic copies to service men, their widows and orphans free of cost; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Section 8, Chapter 41 of the Acts of the Fortieth Legislature, First Called Session, is hereby amended so as to hereafter read as follows:

"Death Without Medical Attendance. That in case of any death occurring without medical attendance, it shall be the duty of the undertaker or person acting as such to notify the local registrar of such death, and when so notified the registrar shall, prior to the issuance of the permit, inform the local health officer and refer the case to him for immediate investigation and certification; providing that when the local health officer is not a physician, or

when there is no such official, and in such cases only, the registrar is authorized to make the certificate and return from the statement of relatives or other persons having adequate knowledge of the facts; provided further, that if the registrar or the local health officer, as the case may be, has reason to believe that the death may have been due to unlawful acts or neglect, or otherwise is one properly referable to the coroner, he shall then refer the case to the coroner or other proper officer for his investigation and certification. And the coroner or other proper officer whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for a burial permit, shall state in his certificate the name of the disease causing death, if from external causes, (1) the means of death; and (2) whether (probably) accidental, suicidal, or homicidal; and shall, in any case, furnish such information as may be required by the State Registrar in order properly to classify the death; provided, further that when a death of any person not a resident of that district, or unknown in that district, occurs, the Justice of the Peace or the person acting as coroner shall secure the finger prints of the deceased and the following physical marks of identification.

"(a) Color of hair.

"(b) Color of eyes.

"(c) Height.

"(d) Weight.

"(e) Deformities.

"(f) Tattoo marks.

"(g) Such other facts as set forth by the State Board of Health as will be of assistance in identifying the deceased.

"The finger prints and the physical identification marks shall be placed on a form prescribed by the State Board of Health, and shall be attached to the death certificate. The State Registrar shall forward to the State Department of Public Safety the report showing the finger prints and other physical marks of identification."

Sec. 2. Section 21, Chapter 41, Acts of the Fortieth Legislature, First Called Session, is hereby amended so as to hereafter read as follows:

"Copies of Records. That the State Registrar shall, upon request, supply to any properly qualified applicant a certified copy of the record of any birth or death registered under

provisions of this Act, for the making and certification of which he shall be entitled to a fee of Fifty (50c) Cents, to be paid by the applicant. And any such copy of the record of a birth or death, when properly certified by the State Registrar, shall be prima facie evidence in all Courts and places of the facts therein stated. For any search of the files and records when no certified copy is made, the State Registrar shall be entitled to a fee of Fifty (50c) Cents for each hour or fractional part of an hour of time of search, said fee to be paid by the applicant. And the State Registrar shall keep a true and correct account of all fees by him received under these provisions, and turn the sum over to the State Treasurer at the close of each month, and all such fees shall be kept by the State Treasurer in a special and separate fund, to be known as the 'Vital Statistics Fund,' and the amounts so deposited in this Fund may be used for defraying expenses incurred in the enforcement and operation of this Act; and provided further, that the State Registrar shall, upon request of any parent or guardian, supply without fee, a certificate limited to a statement as to the date of birth of any child when the same shall be necessary for admission to school, or for the purpose of securing employment; and provided further, that the United States Census Bureau may obtain, without expense to the State, transcripts or certified copies of births and deaths without payment of the fees herein prescribed; and provided further, that the State Registrar is hereby authorized to enter into an agreement with the United States Bureau of the Census to act as special agent for that Bureau in accepting the use of the franking privilege and blanks furnished by that Bureau and is authorized to act as disbursing agent in order to have transcribed for that Bureau copies of the birth and death certificates filed with the State Bureau of Vital Statistics; and providing that the State Registrar shall issue free of cost to any veteran, his widow, orphan, or other descendants a photostatic copy of any record not otherwise prohibited by law when such record is to be used in the settlement of a claim against the Government; and provided that the State Registrar may issue, upon court order, without fee, a certified copy of the birth certificate in cases relating to child labor, and the public schools."

Sec. 3. The fact that the present law does not provide adequate methods for the identification of persons not residing in a district, and of the unknown dead, and further does not provide for the State Registrar of Vital Statistics to enter into an agreement with the United States Bureau of Census for the purpose of securing franking privileges and blanks furnished by the Bureau of Census, create an emergency and public necessity requiring that the Constitutional Rule providing that bills shall be read on three several days in each House shall be suspended, and that said Rule is hereby suspended, and this Act shall take force and effect from and after its passage, and it is so enacted.

Question—Shall the report be adopted?

The report was adopted by the following vote:

Yeas—29

Aikin	Nelson
Beck	Pace
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Head	of Galveston
Hill	Stone
Isbell	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield
Moore	

Absent—Excused

Kelley Martin

Conference Committee on House
Bill 518

Senator Redditt called up from the President's table, for consideration at this time, the request of the House for a Conference Committee on H. B. No. 518.

Senator Redditt moved that the request of the House be granted.

The motion prevailed.

Accordingly, the President appointed the following conferees on the bill on the part of the Senate: Senators Small, Stone of Galveston, Winfield, Pace and Redditt.

Senate Bill 41 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 41, A bill to be entitled "An Act to facilitate the cooperation of this State with other units of government, determining the membership of the Board, and establishing the Texas Commission on Interstate Cooperation; describing the functions and operations of said Commission; providing for the establishment of delegations and committees; providing for reports, and declaring an emergency."

The bill was read second time.

Senator Head offered the following (committee) amendment to the bill:

Amend Senate Bill No. 41, Section 1, lines five (5) and six (6) by striking out the following words: "The Executive Director of the State Planning Board, ex-officio"; and by changing the word "two" in line six (6) to the word "three".

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 41 on Third Reading

Senator Head moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 41 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Nelson
Beck	Pace
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Head	of Galveston
Hill	Stone
Isbell	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield
Moore	

Absent—Excused

Kelley Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Bill 89 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 89, A bill to be entitled "An Act granting aid to San Jacinto, Trinity, Houston, Angelina, Sabine, San Augustine, Jasper, Tyler, Walker and Shelby Counties, Texas, made necessary by reason of the fact that the Federal Government has purchased in said counties practically fifty per cent (50%) of the land in said counties, thereby taking off the tax rolls so much valuation that said counties cannot operate a county government, and has caused great destruction to the roads and other improvements in said counties, remitting, releasing, granting, and donating to said counties all State ad valorem taxes levied or to be levied on property in said counties including the rolling stock of railroads for the years 1939-1940, both inclusive; providing that all grants, remissions, and donations shall apply to taxes collected for State General Revenue purposes only; providing that if any part of this Act be held unconstitutional it shall not affect any other part of this Act, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 89 on Third Reading

Senator Burns moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 89 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Hill
Beck	Isbell
Brownlee	Lanning
Burns	Lemens
Collie	Metcalf
Cotten	Moore
Graves	Nelson
Hardin	Pace
Head	Redditt

Roberts	Stone
Shivers	of Washington
Small	Sulak
Spears	Van Zandt
Stone	Weinert
of Galveston	Winfield

Nays—1

Moffett

Absent—Excused

Kelley

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—17

Burns	Nelson
Cotten	Pace
Graves	Redditt
Hardin	Shivers
Head	Small
Hill	Spears
Lemens	Stone
Metcalfe	of Galveston
Moore	Winfield

Nays—9

Aikin	Moffett
Beck	Stone
Brownlee	of Washington
Collie	Sulak
Lanning	Weinert

Absent

Isbell	Van Zandt
Roberts	

Absent—Excused

Kelley

Martin

Senate Bill 99 on Second Reading

On motion of Senator Metcalfe and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 99 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 99, A bill to be entitled "An Act amending Senate Bill 355, same being Chapter 338 of the Acts of the Regular Session of the Forty-fourth Legislature as amended by Senate Bill 309, the same being Chapter 341 of the Acts of the Forty-fifth Legislature, creating a Central Colo-

rado River Authority, by adding a new section, giving the directors of said Authority the right to enter into contracts with the Governing Boards of other governmental agencies for the purpose of supervising construction and other operations of said agencies, limiting charges, liabilities and damages in connection therewith, providing for the donation and granting of the State of Texas to the District of one-half of all annual State ad valorem taxes collected in Coleman County for a period of twenty years, beginning September 1, 1939, describing the manner and method of collecting said taxes and the method of payment to the District; providing that said taxes may be used for the payment and retirement of interest and sinking fund upon bonds issued for the development of the District; providing that if any provisions of this Act shall be held invalid, the validity of the other provisions thereof shall not be affected; providing that this Act may be cited as an amendment to the Central Colorado River Authority Act, and declaring an emergency."

The bill was read second time.

Senator Spears offered the following amendment to the bill:

Amend the bill by striking out all after the enacting clause and inserting the following:

Section 1. The purpose of this Act is to further carry out the command to the Legislature contained in Article 16, Section 59a of the Constitution of the State of Texas, to pass all such laws as may be appropriate to the conservation and development of all the natural resources of this State, including the control, storing, preservation and distribution of its storm and flood waters, the waters of its rivers and streams, for irrigation, power and all other useful purposes, the reclamation and irrigation of its arid, semi-arid and other lands needing irrigation, the reclamation and drainage of its overflowed lands, and other lands needing drainage, the conservation and development of its forests, water and hydro-electric power, the navigation of its inland and coastal waters, and the preservation and conservation of all such natural resources of the State, by aiding the several Conservation Districts, Conservation and Reclamation Districts, Flood Control Dis-

trict, Navigation Districts, and River Authorities, created by Acts of the Legislature of this State, in carrying out the powers, duties and functions conferred upon the respective Districts and/or River Authorities under and by virtue of the act or acts creating such Districts and/or River Authorities, thereby promoting the comfort, health and general welfare of the citizens of Texas. For the above purpose provision is made as hereinafter set forth.

Sec. 2. For a period of twenty years or for such portion of such period as may be required, but not longer, and commencing with the fiscal year beginning September 1st, 1939, there is hereby donated and granted by the State of Texas to each respective Conservation Districts, Conservation and Reclamation Districts, Flood Control Districts, Navigation Districts, and/or River Authority named in Section 3a of the Act, Fifty (50%) per cent of all State ad valorem taxes collected for general revenue purposes upon the property and from persons in the counties named in Section 3a of this Act as comprising, in whole or in part, the respective Districts and/or River Authorities, including the rolling stock belonging to railroad companies which shall be ascertained and apportioned as now provided by law. The taxes hereby donated shall be used by the respective Districts and/or River Authorities for the purpose of carrying out the powers, duties and functions conferred upon such Districts and/or River Authorities by the Legislature of the State of Texas.

Sec. 3a. This Act shall apply to the following named Districts and/or River Authorities, and the county or counties comprising, in whole or in part, such Districts and/or River Authorities.

(1) Central Colorado River Authority: Coleman County.

(2) Guadalupe-Blanco River Authority: Hays, Comal, Guadalupe, Caldwell, Gonzales, De Witt, Victoria, Kendall and Refugio Counties.

(3) Leon River Flood Control District: Eastland and Callahan Counties.

(4) Lower Neches Valley Authority: Precinct Nos. 1, 3 and 4 of Jefferson County, Harding, Tyler and that portion of Liberty and Chambers Counties as included in the original

bill creating the Lower Neches Valley Authority.

(5) Nueces River Conservation and Reclamation District: Live Oak, McMullen, LaSalle, Frio, Zavala, Atascosa, Real, Bee, Uvalde, Dimmit, Maverick, Kinney, Bandera, Medina and Edwards Counties.

(6) Panhandle Water Conservation Authority: Armstrong, Bailey, Carson, Castro, Collingsworth, Dallam, Deaf Smith, Donley, Floyd, Gray, Hale, Hansford, Hartley, Hemphill, Hutchinson, Lamb, Lipscomb, Moore, Motley, Ochiltree, Oldham, Parmer, Potter, Randall, Roberts, Sherman, Swisher, and Wheeler Counties.

(7) Pease River Flood Control District: Foard, Wilbarger, Hardeman, Cottle, and Wichita Counties.

(8) Sabine - Neches Conservation District: Smith, Wood, Van Zandt, Camp, Upshur, Anderson, Henderson, Kaufman, Angelina, Nacogdoches, Cherokee, San Augustine, Sabine, Jasper, Newton, Gregg, Harrison, Panola, Rusk, Shelby, Rains, Houston, Trinity, Polk, Collin, (except Nevada Independent School District), Rockwall, Marion, Hunt and Hopkins Counties.

(10) San Antonio River and Canal Conservancy District: Bexar County.

(11) San Jacinto River Conservation and Reclamation District: Montgomery, Walker and San Jacinto Counties.

(12) Upper Red River Flood Control and Irrigation District: Briscoe, Hall and Childress Counties.

b. At the end of each month, the Assessor-Collector of taxes of any county named in Section 3a of this Act shall on forms to be furnished by the Comptroller of Public Accounts, make an itemized report, under oath, to said Comptroller of Public Accounts, showing State ad valorem taxes collected by him for General Revenue purposes, as provided for in this Act, upon property and from persons within any such county, and accompany the same with a summarized statement showing disposition of all such State taxes collected. Such Assessor-Collector shall forward his reports to the Comptroller of Public Accounts and shall pay over to the Treasurer, or other officer authorized to receive and receipt for funds, of the District and/or River Authority in which such county is located as shown by Section 3a. of this Act, Fifty (50%) per cent of all State ad valo-

rem taxes collected by him during said month, under the provisions of this Act, except such amounts as are allowed for assessing and collecting the same, and shall forward a duplicate copy of the receipt given him by the Treasurer, or other officer, of the District and/or River Authority for such moneys to the Comptroller of Public Accounts.

c. The Board of Directors of each of the Districts and/or River authorities named in Section 3a. of this Act, shall, on or before the first day of January of each year, cause to be made an itemized statement, under oath and in triplicate showing the amount of money received by such District and/or River Authority under this Act during the next preceding year ending August 31, and showing how, to whom, and for what purpose the same has been expended. One copy of such statement, after having been audited and shall be forwarded to the Comptroller of Public Accounts, the statement shall be sworn to by the Treasurer and Secretary of the District and/or River Authority, and the correctness thereof shall be certified by the State Auditor; which Auditor shall, while auditing said statement, have before him all vouchers upon which expenditures have been made from said fund, and no item or expenditure shall be allowed or passed by the auditor unless he have in his possession legal and proper vouchers therefor, showing compliance with this Act. Upon the completion of the Audit, a copy of the report and all vouchers shall be attached together, numbered consecutively, and be by the Auditor returned to and thereafter be safely kept by the Secretary of the District and/or River Authority as a part of the records of his office.

Sec. 4. It is hereby expressly provided that this Act shall in no wise affect any tax donation heretofore made and now in effect to any District and/or River Authority, County, City or other defined district.

Sec. 5. The fact that in periods of overflow the rivers of this State becoming moving seas, devastating lands, eroding the soil, destroying human lives and untold millions of dollars of property, which constitutes a continuing public calamity, and the further fact the water resources of this State are one of its basic assets and that the preservation, development and proper utilization of such

resources is necessary to protect and promote the comfort, health, safety and general welfare of its people, creates an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be, and the same is hereby suspended, and this Act shall take effect from and after the date of its passage, and it is so enacted.

Senator Metcalfe raised a point of order against consideration of the amendment on the ground that it is not germane to the original purposes of the bill.

The President sustained the point of order.

Senator Lanning offered the following amendment to the bill:

Amend S. B. 99, page 1, line 48, by striking out of said line the word "twenty" and substitute therefor the word "ten".

And amend the caption to conform.

The amendment was adopted.

The bill was passed to engrossment.

Senate Bill 99 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 99 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Nelson
Brownlee	Pace
Burns	Redditt
Collie	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Lanning	of Washington
Lemens	Sulak
Metcalfe	Van Zandt
Moffett	Weinert
Moore	Winfield

Nays—1

Beck

Absent—Excused

Kelley

Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—15

Burns	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Lemens	of Galveston
Metcalf	Stone
Moore	of Washington
Nelson	Winfield
Roberts	

Nays—7

	Hill
Aikin	Lanning
Beck	Moffett
Brownlee	Weinert

Absent

Collie	Redditt
Cotten	Sulak
Isbell	Van Zandt
Pace	

Absent—Excused

Kelley	Martin
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Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate:

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. B. No. 164, A Bill to be entitled "An Act relating to the suspension of sentence in misdemeanor cases; providing for suspension of sentence in misdemeanor cases on application of defendant and recommendation of the jury where the evidence shows no prior conviction of either felony or misdemeanor; providing for suspension in trial before the court without jury and providing testimony as to general reputation may be heard on request of defendant; providing for judgment in such cases that sen-

tence shall be suspended during good behavior and defining "Good Behavior" and providing court shall have the right to require defendant to report to the court and make other reasonable requirements during such suspension; providing court shall have the power upon failure of the defendant to comply with such requirements to arrest the defendant and reimpose such sentence; providing procedure as to suspended sentence in misdemeanor cases; permitting proof of general reputation on the request of the defendant; providing in case of such suspension, such conviction shall not be inquired into and shall not become final except as provided by law; providing for method of making suspended sentences final and providing it shall be cumulative of punishment in any subsequent conviction during such suspension; providing that at the expiration of such suspended sentence, on proof that the defendant has not again been convicted and on motion of defendant he shall be granted a new trial and the case dismissed. And that after such dismissal, same shall not again be inquired into except where the defendant at a later date invokes the benefit of this law; providing that where sentence is suspended the defendant shall be released on his recognizance, declaring the legislative intent; and declaring an emergency."

H. B. No. 218, A bill to be entitled "An Act to amend Article 570 Penal Code of the State of Texas of 1936 changing the penalty for the violation of Article 568 of the Penal Code of the State of Texas, and declaring an emergency."

H. B. No. 412, A bill to be entitled "An Act to amend Article 4399 of the Revised Civil Statutes of Texas (1925) more clearly defining some of the duties of the Attorney General and imposing other and additional duties upon such Officer, and providing an emergency."

H. B. No. 471, A bill to be entitled "An Act to require manufacturers of boots or shoes to stamp on the outside sole of said boots or shoes, where and by whom made and what substitute for leather, if any, was used; and to require the dealer in boots or shoes to stamp in like manner as above mentioned; providing that this Act shall not apply to the manufacture or sale of rubber boots or shoes

or rubber or wood heels or steel shanks used in manufacturing shoes, and that this Act shall not apply to dealers unknowingly selling boots or shoes imperfectly stamped in violation of this Act; fixing penalty for violation of this Act, and declaring an emergency."

H. B. No. 583, A bill to be entitled "An Act to amend Chapter 8, Trial of Causes, Subdivision 4, Charge of the Court, Articles 2184, 2185, 2186, 2187, 2188, 2189 and 2190, of the Revised Civil Statutes of Texas, 1925, with respect to the charge of the court to the jury in the trial of civil cases, providing that every civil case tried before a jury in the District or County Court shall be upon a written charge prepared for submission for a general verdict or for a finding upon special issues; that the method of submission shall be at the option of the judge, except when one of the parties request the submission upon special issues; providing the requisites of such charge; providing for the review of the court's action with respect thereto; providing for the submission of special charges with respect to instructions, definitions, explanations or issues regulating the procedure; providing for objections to the court's charge and regulating the procedure with respect thereto; providing for the submission of special issues, authorizing requests therefor and regulating the procedure with respect thereto; providing the penalty of waiver for violations of the requirements of the Act with respect to the submission and prescribing the rule of presumptions on appeal; declaring the rule of reversal of judgments of the trial court and declaring procedure with respect thereto on appeal; containing a saving clause with respect to cases finally tried prior to the effective date of this Act; repealing all laws and parts of laws in conflict, and declaring an emergency."

H. B. No. 672, A bill to be entitled "An Act fixing salaries and compensation of County Commissioners in Counties with a population of not less than fourteen thousand, nine hundred and one (14,901) inhabitants nor more than sixteen thousand and one (16,001) inhabitants, according to the last Federal Census, as same now exists or may hereafter exist, and having an assessed valuation of not less than Seven Million, Four Hundred and Thirty-six Thousand (7,436,000.00) Dollars, nor more than Eight Million

(\$8,000,000.00) Dollars, according to the last approved tax rolls, as same now exists or may hereafter exist; providing for the manner of payment of the salaries and the funds from which said salaries shall be paid; repealing all laws in conflict herewith, and declaring an emergency."

H. B. No. 793, A bill to be entitled "An Act amending Section No. 6 of Article 760 of the 1925 Revised Civil Statutes of Texas, and declaring an emergency."

H. B. No. 810, A bill to be entitled "An Act amending Article 5954 of the Revised Civil Statutes of 1925 and requiring Notaries Public to print or stamp their name under their signatures whenever same is written in their official capacity, and declaring an emergency."

H. B. No. 856, A bill to be entitled "An Act declaring the sovereignty of Texas along its seacoast, fixing its present seacoast boundary and ownership; fixing the limits and boundaries of each of the seacoast counties in the waters within such boundary; making said waters a part of the area of the various seacoast counties for all proper jurisdictional purposes, and creating an emergency."

H. B. No. 904, A bill to be entitled "An Act providing that all counties within this State, having a population in excess of fifty thousand inhabitants, may, upon an order being made by its Commissioners' Court for this purpose, provide for and maintain a county law library; providing for the funds for said library; granting to said Court all necessary power and authority to make this Act effective; providing that said Act shall be cumulative, and declaring an emergency."

H. B. No. 934, A bill to be entitled "An Act providing for the consolidation of corporations organized under Subdivision 81 of Article 1302 of the Revised Civil Statutes of 1925, and for the consolidation of such a corporation with similar corporations organized under the laws of the United States or any State or Territory for similar purposes; and providing for the agreement of consolidation and the manner of its approval; and for filing and recording of the articles of consolidation; and providing that nothing hereunder may modify or repeal the laws of this State relating

to monopolies or trusts; and providing for the payment of supplemental franchise tax in the event said consolidation shall increase the capital stock over that of the consolidated corporations, and declaring an emergency.

Respectfully submitted,
E. R. LINDLEY, Chief Clerk,
House of Representatives.

Senate Bill 176 on Second Reading

On motion of Senator Spears and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 176 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 176, A bill to be entitled "An Act to aid Conservation Districts, Navigation Districts, Conservation and Reclamation Districts, Flood Control Districts, and River Authorities, created by the Acts of the Legislature of this State, in carrying out the powers, duties and functions conferred upon such Districts and River Authorities by the Legislature; granting and donating to such Districts and River Authorities for a period of twenty years, Fifty (50%) per cent of all the State ad valorem taxes for general revenue purposes upon the property and from persons in counties comprising, in whole or in part, such Districts or River Authorities, and declaring an emergency."

The bill was read second time.

Senator Spears offered the following (committee) amendments to the bill:

(1)

Amend Senate Bill No. 176 by striking out the figures 10, 11, and 12 in Section 3-A and inserting in lieu thereof the figures 9, 10, and 11.

(2)

Amend S. B. No. 176 by striking out subsection (4) in Section 3a and inserting in lieu thereof the following:

"(4) Lower Neches Valley Authority: Precinct Nos. 1, 3 and 4 of Jefferson County, Hardin, Polk, and Jasper Counties; one half of Angelina County and that portion of Liberty

and Chambers Counties as included in the original bill creating the Lower Neches Valley Authority."

(3)

Amend S. B. No. 176 by striking out subsection 8 of Section 3a and inserting in lieu thereof the following:

"(8) Sabine-Neches Conservation District: Smith, Wood, Van Zandt, Camp, Upshur, Anderson, Henderson, Kaufman, one-half of Angelina, Nacogdoches, Cherokee, San Augustine, Sabine, Newton, Gregg, Harrison, Panola, Rusk, Shelby, Rains, Houston, Collin, (except Nevada Independent School District), Rockwall, Hunt and Hopkins Counties."

(4)

Amend S. B. No. 176 by re-numbering Section 5, Section 6, and adding a new Section 5 to read as follows:

"Sec. 5. If any section, subsection, paragraph, sentence, clause, phrase or word of this Act, or the application thereof to any person or circumstance is held invalid, such holding shall not affect the validity of the remaining portions of the Act, and the Legislature hereby declares that it would have passed such remaining portions despite such invalidity."

The (committee) amendments were adopted severally.

Senator Spears offered the following amendment to the bill:

Amend S. B. No. 176 by adding between lines 30 and 31, on page 2, the following:

"(13) Upper Guadalupe Authority of Kerr County, Texas."

The amendment was adopted.

Senator Winfield offered the following amendment to the bill:

Amend S. B. No. 176 by adding a new subsection in Section 3a to be designated (15) and to read as follows:

"(15) Red Bluff Water Power Control District: Pecos, Reeves, Ward and Loving Counties."

The amendment was adopted.

Senator Lanning offered the following amendment to the bill:

Amend S. B. No. 176, page 1, line 40, by striking out the word "twenty" and insert in lieu thereof the word "ten".

The amendment was adopted.

Senator Beck offered the following amendment to the bill:

Amend S. B. No. 176, Section 3a, by adding a new Subsection 13 and to read as follows:

"Sulphur River Conservation and Reclamation District" which shall include all counties which were provided for in the original Act.

The amendment was adopted.

Senator Brownlee offered the following amendment to the bill:

Amend S. B. No. 176 by adding a new subsection in Section 3a to be designated (16) and to read as follows:

"(16) San Saba and McCulloch Flood Control District: San Saba and McCulloch Counties."

The amendment was adopted.

On motion of Senator Spears, the caption was amended to conform to the changes in the body of the bill.

The bill then was passed to engrossment.

Senate Bill 176 on Third Reading

Senator Spears moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 176 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Nelson
Beck	Pace
Brownlee	Redditt
Burns	Roberts
Cotten	Shivers
Graves	Small
Hardin	Spears
Head	Stone
Hill	of Galveston
Isbell	Stone
Lanning	of Washington
Lemens	Sulak
Metcalf	Van Zandt
Moffett	Winfield
Moore	

Nays—2

Collie Weinert

Absent—Excused

Kelley Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time.

Senator Shivers offered the following amendment to the bill:

Amend Committee Amendment No. 2 by adding the word "Tyler" between the words "Hardin" and "Polk."

The amendment was adopted unanimously.

The bill was passed by the following vote:

Yeas—14

Beck	Metcalf
Brownlee	Moffett
Burns	Moore
Graves	Nelson
Hardin	Shivers
Head	Spears
Hill	Winfield

Nays—7

Aikin	Small
Collie	Stone
Lanning	of Galveston
Lemens	Weinert

Absent

Cotten	Stone
Isbell	of Washington
Pace	Sulak
Redditt	Van Zandt
Roberts	

Absent—Excused

Kelley Martin

Committee Substitute for Senate Bill 240 on Second Reading

On motion of Senator Brownlee and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 240 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 240, A bill to be entitled "An Act regulating fishing in Bur-

net, Llano, San Saba, and Travis Counties; providing for size and bag limits of fish caught or taken from waters in such counties and making it unlawful to take or catch fish from the waters of Buchanan, Inks, Marshall Ford, Marble Falls, and Tom Miller Lakes except by certain means or the use of certain devices; providing for a closed season in such lakes and make exceptions; regulating the sale or transportation of minnows; providing a universal fishing license for such counties; and providing a penalty and declaring an emergency."

The bill was read second time.

Senator Brownlee offered the following amendment to the bill:

Amend S. B. No. 240 by striking out all of Section number six (6) thereof.

The amendment was adopted.

The bill was passed to engrossment.

Committee Substitute for Senate Bill 240 on Third Reading

Senator Brownlee moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 240 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Nelson
Beck	Pace
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Head	of Galveston
Hill	Stone
Isbell	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield
Moore	

Absent—Excused

Kelley	Martin
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The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—29

Aikin	Nelson
Beck	Pace
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Head	of Galveston
Hill	Stone
Isbell	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield
Moore	

Absent—Excused

Kelley	Martin
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Senate Bill 345 Tabled

On motion of Senator Brownlee, S. B. No. 345 was tabled.

Senate Bill on First Reading

Senator Nelson moved that the legislative rule relative to the introduction of bills after the first 60 days of the Regular Session of the Legislature be suspended to permit his introducing a bill at this time.

The motion prevailed by the following vote:

Yeas—29

Aikin	Nelson
Beck	Pace
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Head	of Galveston
Hill	Stone
Isbell	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalf	Weinert
Moffett	Winfield
Moore	

Absent—Excused

Kelley	Martin
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The following bill then was introduced, read first time, and referred to the committee indicated:

By Senator Nelson:

S. B. No. 444, A bill to be entitled "An Act providing for a rural school

music supervisor in certain counties; prescribing the duties of said supervisor; prescribing the method of employing the supervisor; providing for removal of such supervisor by the County Board of School Trustees on recommendation of the County superintendent; prescribing manner of fixing and paying salary; and declaring an emergency."

Referred to Committee on Education.

Senate Bill 326 with House Amendments

Senator Spears called up S. B. No. 326 from the President's table, for consideration of the House amendments to the bill.

The President laid the bill before the Senate, and the House amendments were read.

The Senate concurred in the House amendments by the following vote:

Yeas—29

Aikin	Nelson
Beck	Pace
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Head	of Galveston
Hill	Stone
Isbell	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield
Moore	

Absent—Excused

Kelley Martin

Reports of Standing Committees

By unanimous consent, the following reports were submitted at this time by the committee chairmen whose names are signed thereto:

Austin, Texas,
April 21, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

S. B. No. 395, by Hardin, A bill to be entitled "An Act to provide for the safety, care, comfort, convenience and proper accommodation and trans-

portation of passengers in sleeping cars, parlor cars and chair cars operated on railways in this State, by requiring certain representatives or employees thereon or in charge thereof specially; and to make any violation of this Act a misdemeanor, and fix the punishment therefor, including a saving clause and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with Committee Amendments One and Two and be printed.

SPEARS, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 161 by Hale, A bill to be entitled "An Act amending Article 3912e, Section 13, Revised Civil Statutes of Texas of 1925, to allow the Commissioners' Courts in all counties of more than forty-six thousand, one hundred (46,100) and less than forty-six thousand, two hundred (46,200) population to fix the salary of their County Treasurer at any sum not less than Twenty-five Dollars (\$25.00); repealing all laws or parts of laws in conflict herewith; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARDIN, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

H. B. No. 645, A bill to be entitled "An Act amending Article 3112 of the Revised Civil Statutes of the State of Texas of 1925, with reference to filing applications by candidates for district offices; repealing all laws in conflict herewith; and declaring an emergency,"

Have had the same under consideration, and I am instructed to report

it back to the Senate with the recommendation that it do pass and be printed.

HARDIN, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 893, by Dickison, A bill to be entitled "An Act authorizing the Commissioners' Court of counties having a population of not less than two hundred and ninety thousand (290,000) inhabitants and not more than three hundred and twenty thousand (320,000), according to the last preceding Federal Census, to appoint a County Building Inspector and Assistants,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

COTTEN, Vice Chairman.

Austin, Texas,
April 20, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 282, by Head, A bill to be entitled "An Act amending Title 71 of the Revised Civil Statutes of 1925, by the addition thereto of an additional chapter, to be designated Chapter 14, State Plumbing Law; etc,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WEINERT, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

S. B. No. 439, A bill to be entitled "An Act validating and approving all proceedings had by cities and towns in amending their corporate charters so as to eliminate any re-

quirements in said charter that any portion of the annual ad valorem tax levied in said city or town shall be provided for or set apart for the use of the Public Free Schools in said city or town, etc., and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

S. B. No. 438, A bill to be entitled "An Act validating, confirming, approving and legalizing all bonds heretofore authorized by the necessary vote of the qualified voters of all cities or towns at an election, or elections, held during the year 1938. Providing this Act shall only apply to cities and towns acting under a home rule charter and which city or town did not at the time of the holding of said election, or elections, own any public utility and the assessed value of whose property for the purpose of taxation as shown by the tax rolls of such city or town for the year 1938 was not less than \$6,780,000 nor more than \$6,850,000, and provided this Act shall not apply to any such bond the validity of which has been contested or attacked in any pending suit or litigation, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

MOORE, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 444, A bill to be entitled "An Act providing for a rural school music supervisor in certain counties; prescribing the duties of said supervisor; prescribing the method of em-

playing the supervisor; providing for removal of such supervisor by the County Board of School Trustees on recommendation of the County Superintendent; prescribing manner of fixing and paying salary; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with recommendation that it do pass and be not printed.

AIKIN, Chairman.

Senate Bill 194 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 194, A bill to be entitled "An Act to amend Article 5057a of the Revised Civil Statutes of 1925, as amended by S. B. No. 12, Chapter 190, Acts of the Regular Session of the Fortieth Legislature, so as to provide for the manner in which fire insurance companies and casualty insurance companies incorporated under the laws of this State shall render their property for taxation; providing where such property shall be rendered for taxation; and declaring an emergency."

The bill was read second time.

Senator Graves offered the (committee) amendments to the bill.

The (committee) amendments were adopted.

Senator Small offered the following amendment to the bill:

Amend S. B. No. 194 as follows:

Strike out of lines 60 and 61 the following "and all other debts due and payable"

Question—Shall the amendment be adopted?

House Bills on First Reading

The following bills received from the House today, were laid before the Senate, read severally first time, and referred to the committees indicated:

H. B. No. 164, to Committee on Criminal Jurisprudence.

H. B. No. 218, to Committee on Criminal Jurisprudence.

H. B. No. 412, to Committee on Civil Jurisprudence.

H. B. No. 471, to Committee on Commerce and Manufactures.

H. B. No. 583, to Committee on Civil Jurisprudence.

H. B. No. 672, to Committee on Counties and County Boundaries.

H. B. No. 793, to Committee on Criminal Jurisprudence.

H. B. No. 810, to Committee on Civil Jurisprudence.

H. B. No. 856, to Committee on Public Lands and Land Office.

H. B. No. 904, to Committee on State Affairs.

H. B. No. 934, to Committee on State Affairs.

Senate Bill 44 on Second Reading

On motion of Senator Collie and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 44 at this time.

The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 44, A bill to be entitled "An Act making an appropriation of \$2,500.00, or so much thereof as may be necessary, to pay a certain judgment rendered on June 16, A. D. 1934, in the 126th District Court of Travis County, Texas, in Cause No. 52,100, wherein Abilene Plumbing Supply Company, Inc. (a corporation), is plaintiff and the State of Texas and the Board of Control of the State of Texas are defendants (the cause being captioned Standard Manufacturing Company vs. Franklin Bros.), for the principal sum of \$1,861.20, with interest at the legal rate of six per cent (6%) per annum from the date of said judgment until paid, and all costs of suit, of which costs there is a balance due of \$64.95, which judgment was affirmed by the Court of Civil Appeals for the Third Supreme Judicial District of Texas and a writ of error dismissed by the Supreme Court, so that said judgment is now a final judgment for the full amount thereof, principal, interest and costs against the State of Texas and the Board of Control and a valid judgment obligation of record, and declaring an emergency."

The bill was read second time and was passed to engrossment.

Senate Bill 44 on Third Reading

Senator Collie moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 44 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Nelson
Beck	Pace
Brownlee	Redditt
Burns	Roberts
Collie	Shivers
Cotten	Small
Graves	Spears
Hardin	Stone
Head	of Galveston
Hill	Stone
Isbell	of Washington
Lanning	Sulak
Lemens	Van Zandt
Metcalfe	Weinert
Moffett	Winfield
Moore	

Absent—Excused

Kelley Martin

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Bill and Resolutions Signed

The President signed in the presence of the Senate, after their captions had been read, the following enrolled bill and resolutions:

H. C. R. No. 110, Recalling H. B. No. 84 from the Governor.

H. B. No. 931, "An Act to increase the criminal jurisdiction of the 76th Judicial District Court of Morris County, transferring all criminal cases on the docket of the County Court to the docket of the District Court at the time of the passage of this Act, and to conform the jurisdiction of the County and Justice Courts of said County to such change; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

H. C. R. No. 111, Recalling H. B. No. 166 from the Governor.

Message from the House

A Clerk from the House was recognized to present the following message:

Hall of the House of Representatives,
Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 443, A bill to be entitled "An Act creating county wide equalization school districts in all counties containing a population of not less than thirty-five thousand (35,000) nor more than sixty-seven thousand five hundred (67,500) according to the last preceding Federal Census, and containing a valuation of Seventy-five Million (\$75,000,000.00) Dollars, or more, according to the last approved tax rolls for state and county purposes, etc., and declaring an emergency."

Respectfully submitted,

E. R. LINDLEY,

Chief Clerk, House of Representatives.

Senate Resolution 69

Senator Brownlee, by unanimous consent, offered at this time the following resolution:

Whereas, The University Glee Club and Chorus of Southwestern University, under the direction of Madame Slaviansky, has been selected to represent the choral clubs of Texas at the biennial convention of the National Federation of Music Clubs at Baltimore, Maryland, this year, an honor won by competition with practically all the college choral clubs of this State; now therefore be it

Resolved, That said Glee Club and Chorus of Southwestern University be invited to render a short program before the Senate at some appropriate time and that the President of the Senate appoint a committee of three members of the Senate to present this invitation and make arrangements therefor.

BROWNLEE,
HILL.

The resolution was read; and by unanimous consent, it was considered immediately, and was adopted.

Adjournment

Senator Hill moved that the Senate adjourn until 10:00 o'clock a. m. tomorrow.

The motion prevailed; and the Senate, accordingly, at 4:45 o'clock p. m., adjourned until 10:00 o'clock a. m. tomorrow.

APPENDIX

Reports of Committee on Engrossed Bills

Austin, Texas,
April 20, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 427 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 443 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. C. R. No. 20 carefully examined, compared and read, and find same correctly engrossed.

LANNING, Chairman.

Reports of Committee on Enrolled Bills

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 381 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 392 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 185 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 154 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 426 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 421 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 425 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on En-

rolled Bills, have had S. B. No. 352 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 428 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 24 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 434 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 264 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 269 carefully examined, compared and

read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 272 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 334 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 340 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 214 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.

Austin, Texas,
April 24, 1939.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 420 and S. B. No. 191 carefully examined, compared and read, and find same correctly enrolled.

STONE of Galveston, Chairman.